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PATENT CASE NAME/NO. RIC 00-031(977-001)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Hardy

Serial No: 09/779,092

Filing Date: 02/08/01

Title: A METHOD AND APPARATUS
FOR ESTIMATING QUALITY
IN A TELEPHONIC VOICE
CONNECTION

Group Art Unit: 2643

Examiner: Taylor, Barry W.

RESPONSE

RECEIVED

JUL 19 2002

Technology Center 2600

Assistant Commissioner for Patents
Washington, DC 20231

RESPONSE TO THE EXAMINER'S OFFICE ACTION

In response to the Office Action dated April 11, 2002, designated as Paper No. 5 in the above-captioned application, please enter the following Remarks as follows:

Remarks

In view of the following remarks, favorable reconsideration of the outstanding office action is respectfully requested. Claims 1-61 remain in this application.

1. § 103 Rejections

The Examiner has rejected claims 1-61 under 35 U.S.C. § 103 as being unpatentable for obviousness over U.S. Patent No. 6,304,634 to Hollier et al. (hereinafter Hollier) in view of U.S. Patent No. 6,256,608 to Malvar. The Applicant respectfully traverses the rejection because the Examiner has failed to make a prima facie case of obviousness for the following reasons. First, the proposed combination does not teach all of the claimed limitations. Second, there is no motivation to combine because the proposed combination renders the Hollier reference unsatisfactory for its intended use, and the combination of references does not provide a reasonable expectation of success.

Claim 1 is directed to a device for evaluating quality in a telephonic voice connection in a telecommunications network. The device includes a measurement circuit operative to